

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Environmental Affairs, to which was referred House Bill No. 1798, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, line 13, delete "The" and insert **"After receipt of**
- 2 **notification from the department of environmental management**
- 3 **that the municipality will be subject to storm water regulation**
- 4 **under 327 IAC 15-13, the".**
- 5 Page 3, line 12, delete "county not having a consolidated city;" and
- 6 insert **"county that:**
- 7 **(A) does not have a consolidated city; and**
- 8 **(B) receives notification from the department of**
- 9 **environmental management that the county will be subject**
- 10 **to storm water regulation under 327 IAC 15-13;"**.
- 11 Page 4, line 38, delete "IC 8-1.5-3-3-(b)" and insert
- 12 **"IC 8-1.5-3-3(b)".**
- 13 Page 7, line 9, after "after" insert **"holding a hearing and obtaining**
- 14 **the".**
- 15 Page 7, line 9, strike "by" and insert **"of".**
- 16 Page 7, line 12, after "system." insert **"The assessment and**
- 17 **collection of user fees under this subsection by the board of a**
- 18 **county must also be approved by the county executive."**
- 19 Page 7, between lines 16 and 17, begin a new paragraph and insert:

1 **"(d) The board may use one (1) or more of the following factors**
 2 **to establish the fees authorized by this section:**

3 **(1) A flat charge for each lot, parcel of property, or building.**

4 **(2) The amount of impervious surface on the property.**

5 **(3) The number and size of storm water outlets on the**
 6 **property.**

7 **(4) The amount, strength, or character of storm water**
 8 **discharged.**

9 **(5) The existence of improvements on the property that**
 10 **address storm water quality and quantity issues.**

11 **(6) The degree to which storm water discharged from the**
 12 **property affects water quality in the storm water district.**

13 **(7) Any other factors the board considers necessary.**

14 **(e) The board may exercise reasonable discretion in adopting**
 15 **different schedules of fees or making classifications in schedules of**
 16 **fees based on:**

17 **(1) variations in the costs, including capital expenditures, of**
 18 **furnishing services to various classes of users or to various**
 19 **locations;**

20 **(2) variations in the number of users in various locations; and**

21 **(3) whether the property is used primarily for residential,**
 22 **commercial, or agricultural purposes."**

23 Page 8, line 35, strike "in monthly installments".

24 Page 8, line 35, after "of" insert ":".

25 Page 8, strike line 36.

26 Page 8, line 37, after "(A)" insert "**the**".

27 Page 8, line 38, strike "and".

28 Page 8, line 39, after "(B)" insert "**the**".

29 Page 8, line 40, delete "." and insert ";

30 **(C) the user fees assessed by the municipality under section**
 31 **7 of this chapter; or**

32 **(D) any combination of the sources under clauses (A), (B),**
 33 **and (C)."**

34 Page 9, between lines 2 and 3, begin a new paragraph and insert:

35 **"(d) Before a municipality imposes the tax levy referred to in**
 36 **subsection (b)(2)(B), the fiscal body of the municipality must give**
 37 **public notice and hold a hearing on the proposal for the tax levy."**

38 Page 9, line 12, delete "in monthly installments".

- 1 Page 9, line 13, delete "of the:" and insert **"of:"**.
- 2 Page 9, line 14, after "(A)" insert **"the"**.
- 3 Page 9, line 15, delete "and".
- 4 Page 9, line 16, after "(B)" insert **"the"**.
- 5 Page 9, line 17, delete "." and insert ";"
- 6 **(C) the user fees assessed by the county under section 7 of**
- 7 **this chapter; or**
- 8 **(D) any combination of the sources under clauses (A), (B),**
- 9 **and (C)."**
- 10 Page 9, between lines 21 and 22, begin a new paragraph and insert:
- 11 **"(d) Before a county imposes the tax levy referred to in**
- 12 **subsection (b)(2)(B), the fiscal body of the county must give public**
- 13 **notice and hold a hearing on the proposal for the tax levy."**
- 14 Page 12, delete lines 4 through 9.
- 15 Page 12, line 39, delete "discharged into the county drainage
- 16 system." and insert **"discharged."**
- 17 Page 12, line 42, delete "Whether the property has been or will be
- 18 required to pay" and insert **"The degree to which storm water**
- 19 **discharged from the property affects water quality in the district."**
- 20 Page 13, delete lines 1 through 14.
- 21 Page 13, line 15, delete "(9)" and insert **"(7)"**.
- 22 Page 13, line 18, delete "on variations in:" and insert **"on:"**.
- 23 Page 13, line 19, after "(1)" insert **"variations in"**.
- 24 Page 13, line 19, delete "furnishing" and insert **"addressing storm**
- 25 **water quality and quantity for"**.
- 26 Page 13, line 20, delete "services to".
- 27 Page 13, line 20, after "users or" delete "to" and insert **"for"**.
- 28 Page 13, line 20, after "locations;" delete "or".
- 29 Page 13, line 21, after "(2)" insert **"variations in"**.
- 30 Page 13, line 21, delete "locations." and insert **"locations; and**

1 **(3) whether the property is used primarily for residential,**
2 **commercial, or agricultural purposes."**

3 Renumber all SECTIONS consecutively.

(Reference is to HB 1798 as reprinted February 14, 2003.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

Gard

Chairperson